

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AUTHORS GUILD, et al.,

Plaintiffs,

v.

OPENAI INC., et al.,

Defendants.

JONATHAN ALTER, et al.,

Plaintiffs,

v.

OPENAI INC., et al.,

Defendants.

NICHOLAS A. BASBANES, et al.,

Plaintiffs,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

Consolidated Cases:

No. 1:23-cv-08292-SHS-OTW

No. 1:23-cv-10211-SHS-OTW

No. 1:24-cv-00084-SHS-OTW

Related Case:

No. 1:23-cv-11195-SHS-OTW

**OPENAI DEFENDANTS' POSITION
STATEMENT REGARDING
MOTION TO INTERVENE AND
DISMISS, STAY, OR TRANSFER**

Defendants OpenAI, Inc., OpenAI LP, OpenAI GP LLC, OpenAI LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation, LLC, OpenAI Holdings LLC, OpenAI Startup Fund I LP, OpenAI Startup Fund GP I LLC, and OpenAI Startup Fund Management LLC (together, “OpenAI Defendants”) hereby state that they do not take a position on the Motion to Intervene and

Dismiss, Stay or Transfer (ECF No. 71 in No. 1:23-cv-08292 and ECF No. 47 in No. 1:23-cv-11195) filed by the plaintiffs from the case *In re OpenAI ChatGPT Litigation*, No. 3:23-cv-03223 (N.D. Cal. 2023).

Dated: February 26, 2024

Respectfully submitted,

By: /s/ Andrew M. Gass

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